

### *Amendments*

#### *In the Claims:*

1-34 (Canceled).

35. (Currently amended): A nucleic acid molecule comprising at least a first *lox* site ~~flanked by~~ located immediately adjacent to at least one promoter, wherein said promoter is operably linked to ~~and~~ at least one antibiotic resistance gene.

36. (Previously presented): The nucleic acid molecule of claim 35, wherein said *lox* site is a *loxP* site.

37. (Canceled).

38. (Currently amended): The nucleic acid molecule of claim ~~37~~ 35, wherein said nucleic acid molecule is a vector.

39. (Currently amended): A nucleic acid molecule comprising at least one promoter operably linked to at least one antibiotic resistance gene, wherein said promoter and said antibiotic resistance gene are separated by at least one recombination site, and wherein said promoter or said antibiotic resistance gene is immediately adjacent to said at least one recombination site.

40. (Currently amended): The nucleic acid molecule of claim 39, wherein said ~~first~~ at least one recombination site is selected from the group consisting of a *lox* site, an *att* site, and mutants thereof.

41. (Currently amended): The nucleic acid molecule of claim 39, wherein said ~~first~~ at least one recombination site is a *lox* site.

42. (Previously presented): The nucleic acid molecule of claim 41, wherein said *lox* site is a *loxP* site.

43. (Previously presented): The nucleic acid molecule of claim 39, wherein said nucleic acid molecule further comprises at least one additional recombination site.

44. (Previously presented): The nucleic acid molecule of claim 43, wherein said at least one additional recombination site is selected from the group consisting of *lox* sites and *att* sites.

45. (Previously presented): The nucleic acid molecule of claim 43, wherein said at least one additional recombination site is a *lox* site.

46. (Previously presented): The nucleic acid molecule of claim 45, wherein said *lox* site is a *loxP* site.

47. (Previously presented): The nucleic acid molecule of claim 39, wherein said nucleic acid molecule comprises at least one cloning site.

48. (Previously presented): The nucleic acid molecule of claim 39, wherein said nucleic acid molecule is a vector.

49. (Previously presented): The nucleic acid molecule of claim 48, wherein said vector is an expression vector.

50. (Previously presented): The nucleic acid molecule of claim 39, wherein said antibiotic resistance gene is selected from the group consisting of a chloramphenicol resistance gene, an ampicillin resistance gene, a methicillin resistance gene, a tetracycline resistance gene and a kanamycin resistance gene.

51. (Previously presented): The nucleic acid molecule of claim 39, wherein said antibiotic resistance gene is a chloramphenicol resistance gene.

52. (Currently amended): A nucleic acid molecule comprising a functional antibiotic resistance gene, wherein a first portion of said antibiotic resistance gene and a second portion of said antibiotic resistance gene are separated by at least a first recombination site, wherein said first portion of said antibiotic resistance gene or said second portion of said antibiotic resistance gene is immediately adjacent to said first recombination site.

53. (Previously presented): The nucleic acid molecule of claim 52, wherein said first and second portions of said antibiotic resistance gene are operably linked.

54. (Previously presented): The nucleic acid molecule of claim 52, wherein said first portion of said antibiotic resistance gene is a promoter.

55. (Previously presented): The nucleic acid molecule of claim 52, wherein said first recombination site is selected from the group consisting of a *lox* site, an *att* site, and mutants thereof.

56. (Previously presented): The nucleic acid molecule of claim 52, wherein said first recombination site is a *lox* site.

57. (Previously presented): The nucleic acid molecule of claim 56, wherein said *lox* site is a *loxP* site.

58. (Previously presented): The nucleic acid molecule of claim 52, wherein said nucleic acid molecule further comprises at least one additional recombination site.

59. (Previously presented): The nucleic acid molecule of claim 58, wherein said at least one additional recombination site is selected from the group consisting of *lox* sites and *att* sites.

60. (Previously presented): The nucleic acid molecule of claim 58, wherein said at least one additional recombination site is a *lox* site.

61. (Previously presented): The nucleic acid molecule of claim 60, wherein said *lox* site is a *loxP* site.

62. (Previously presented): The nucleic acid molecule of claim 52, wherein said nucleic acid molecule comprises at least one cloning site.

63. (Previously presented): The nucleic acid molecule of claim 52, wherein said nucleic acid molecule is a vector.

64. (Previously presented): The nucleic acid molecule of claim 63, wherein said vector is an expression vector.

65. (Previously presented): The nucleic acid molecule of claim 52, wherein said antibiotic resistance gene is selected from the group consisting of a chloramphenicol resistance gene, an ampicillin resistance gene, a methicillin resistance gene, a tetracycline resistance gene and a kanamycin resistance gene.

66. (Previously presented): The nucleic acid molecule of claim 52, wherein said antibiotic resistance gene is a chloramphenicol resistance gene.

67 - 68. (Canceled).

69. (Currently amended): A nucleic acid molecule comprising at least one promoter operably linked to at least one antibiotic resistance gene, wherein said promoter and said antibiotic resistance gene are separated by at least one *loxP* site, and wherein said promoter or said antibiotic resistance gene is immediately adjacent to said at least one *loxP* site.

70. (Previously presented): The nucleic acid molecule of claim 69, wherein said antibiotic resistance gene is selected from the group consisting of a chloramphenicol resistance gene, an ampicillin resistance gene, a methicillin resistance gene, a tetracycline resistance gene and a kanamycin resistance gene.

71. (Previously presented): The nucleic acid molecule of claim 69, wherein said antibiotic resistance gene is a chloramphenicol resistance gene.

72. (Currently amended): A nucleic acid molecule comprising at least one functional antibiotic resistance gene, wherein said functional gene comprises a promoter and an antibiotic resistance gene separated from each other by at least one *loxP* site, and wherein said promoter or said antibiotic resistance gene is immediately adjacent to said at least one *loxP* site.

73. (Previously presented): The nucleic acid molecule of claim 72, wherein said antibiotic resistance gene is selected from the group consisting of a chloramphenicol

resistance gene, an ampicillin resistance gene, a methicillin resistance gene, a tetracycline resistance gene and a kanamycin resistance gene.

74. (Previously presented): The nucleic acid molecule of claim 72, wherein said antibiotic resistance gene is a chloramphenicol resistance gene.

75. (Previously presented): A host cell comprising the nucleic acid molecule of claim 35.

76. (Canceled).

77. (Previously presented): The host cell of claim 75, wherein said host cell is an *Escherichia coli* cell.

78. (Canceled).

79. (Previously presented): A host cell comprising the nucleic acid molecule of claim 39.

80. (Previously presented): A host cell comprising the nucleic acid molecule of claim 42.

81. (Previously presented): A host cell comprising the nucleic acid molecule of claim 43.

82. (Previously presented): A host cell comprising the nucleic acid molecule of claim 46.

83. (Previously presented): The host cell of claim 79, wherein said host cell is an *Escherichia coli* cell.

84. (Previously presented): The host cell of claim 80, wherein said host cell is an *Escherichia coli* cell.

85. (Previously presented): The host cell of claim 81, wherein said host cell is an *Escherichia coli* cell.

86. (Previously presented): The host cell of claim 82, wherein said host cell is an *Escherichia coli* cell.

87. (Previously presented): A host cell comprising the nucleic acid molecule of claim 52.

88. (Previously presented): A host cell comprising the nucleic acid molecule of claim 53.



89. (Previously presented): A host cell comprising the nucleic acid molecule of claim 57.

90. (Previously presented): A host cell comprising the nucleic acid molecule of claim 58.

91. (Previously presented): A host cell comprising the nucleic acid molecule of claim 61.

92. (Previously presented): The host cell of claim 87, wherein said host cell is an *Escherichia coli* cell.

93. (Previously presented): The host cell of claim 88, wherein said host cell is an *Escherichia coli* cell.

94. (Previously presented): The host cell of claim 89, wherein said host cell is an *Escherichia coli* cell.

95. (Previously presented): The host cell of claim 90, wherein said host cell is an *Escherichia coli* cell.

96. (Previously presented): The host cell of claim 91, wherein said host cell is an *Escherichia coli* cell.

97. (Previously presented): A host cell comprising the nucleic acid molecule of claim 69.

98. (Previously presented): The host cell of claim 97, wherein said host cell is an *Escherichia coli* cell.

99. (Previously presented): A host cell comprising the nucleic acid molecule of claim 72.

100. (Previously presented): The host cell of claim 99, wherein said host cell is an *Escherichia coli* cell.

101. (New): The nucleic acid molecule of claim 39, wherein said promoter and said antibiotic resistance gene are immediately adjacent to said at least one recombination site.

102. (New): A host cell comprising the nucleic acid molecule of claim 101.

103. (New): The host cell of claim 102, wherein said host cell is an *Escherichia coli* cell.

104 (New): The nucleic acid molecule of claim 52, wherein said first portion of said antibiotic resistance gene and said second portion of said antibiotic resistance gene are immediately adjacent to said first recombination site.

105. (New): A host cell comprising the nucleic acid molecule of claim 104.

106. (New): The host cell of claim 105, wherein said host cell is an *Escherichia coli* cell.

107. (New): The nucleic acid molecule of claim 69, wherein said promoter and said antibiotic resistance gene are immediately adjacent to said at least one *loxP* site.

108. (New): A host cell comprising the nucleic acid molecule of claim 107.

109. (New): The host cell of claim 108, wherein said host cell is an *Escherichia coli* cell.

110 (New): The nucleic acid molecule of claim 72, wherein said promoter or said antibiotic resistance gene is immediately adjacent to said at least one *loxP* site.

111. (New): A host cell comprising the nucleic acid molecule of claim 110.

112. (New): The host cell of claim 110, wherein said host cell is an *Escherichia coli* cell.